

EXHIBIT A

DC-16-02255 - TIA WAGNER vs. FEDERAL NATIONAL MORTGAGE, et al

Case Number: DC-16-02255
 File Date: 02/26/2016
 Case Status: OPEN

Court: 162nd District Court
 Case Type: PROPERTY

PLAINTIFF : WAGNER, TIA
 Address:
 515 ANGLEBLUFF DR
 DESOTO TX 75115

Active Attorneys
Pro Se

DEFENDANT : FEDERAL NATIONAL MORTGAGE
 Aliases:
 AKA FANNIE MAC
 Address:
 BY SERVING BARRETT DAFFIN FAPPIER
 15000 SURVEYOR BLVD #100
 ADDISON TX 75001

DEFENDANT : DALLAS COUNTY, TEXAS
 Address:
 509 MAIN ST 2ND FL STE 200
 DALLAS TX 75202

DEFENDANT : DESOTO CITY HALL, TEXAS
 Address:
 211 E PLEASANT RUN RD
 DESOTO TX 75115

02/26/2016 NEW CASE FILED (OCA) - CIVIL
 02/26/2016 ISSUE CITATION

ISSUE CITATION

ISSUE CITATION

ISSUE CITATION

02/26/2016 ORIGINAL PETITION

ORIGINAL PETITION

02/26/2016 AFFIDAVIT

AFFIDAVIT

02/26/2016 AFFIDAVIT INABILITY TO PAY

AFFIDAVIT INABILITY TO PAY

02/26/2016 CASE FILING COVER SHEET

CASE FILING COVER SHEET

03/02/2016 CITATION

Anticipated Server: CERTIFIED MAIL

Actual Server: CERTIFIED MAIL

Anticipated Server: CERTIFIED MAIL

Actual Server: CERTIFIED MAIL

Anticipated Server: CERTIFIED MAIL

Anticipated Method:

Returned: 03/11/2016

Anticipated Method:

Returned: 03/10/2016

Anticipated Method:

Actual Server: CERTIFIED MAIL

Returned: 03/11/2016

Comment: CERT MAIL/DC***9214-8901-0661-5400-0080-9162-35*****9214-8901-0661-5400-0080-9140-64*****9214-8901-0661-5400-0080-9148-73

03/15/2016 NOTICE OF HEARING / FIAT

NOTICE OF HEARING / FIAT

Comment: ON EMERGENCY TRO

03/15/2016 NON-SIGNED PROPOSED ORDER/JUDGMENT

NON-SIGNED PROPOSED ORDER/JUDGMENT

Comment: DECLARATORY JUDGMENT

03/17/2016 CORRESPONDENCE - CONTEST LETTER

CORRESPONDENCE - CONTEST LETTER

03/17/2016 TRO HEARING

Judicial Officer: BROWN, PHYLLIS LISTER

Hearing Time: 10:00 AM

Cancel Reason: REQUESTED BY ATTORNEY/PRO SE

Comment: JASON 214-771-5696



Loading financial information, please wait...

ORIGINAL PETITION

AFFIDAVIT INABILITY TO PAY

AFFIDAVIT

CASE FILING COVER SHEET

ISSUE CITATION

ISSUE CITATION

ISSUE CITATION

DALLAS COUNTY, TEXAS - CITATION

DESOTO CITY HALL, TEXAS - CITATION

FEDERAL NATIONAL MORTGAGE - CITATION

NOTICE OF HEARING / FIAT

NON-SIGNED PROPOSED ORDER/JUDGMENT

CORRESPONDENCE - CONTEST LETTER

EXHIBIT B

EXHIBIT B-1

NO. DC 16-02255

FILED

2016 FEB 26 PM 1:21

FELICIA PITRE
DISTRICT CLERK
DALLAS CO., TEXAS
C. [Signature] DEPUTY

TIA WAGNER

515 ANGLEBLUFF DRIVE
DESOTO, TEXAS 75115

Affiant,

V.

FEDERAL NATIONAL MORTGAGE
a/k/a FANNIE MAC, is a Foreign
Financial Institution who is operating in
the STATE of STATE, and may be served
with process through their representative
Located at: Barrett Daffin Fappier
Its, agents, assignees, associates, officers,
etc.
15000 Surveyor Blvd #100
Addison, Texas 75001

DALLAS COUNTY, TEXAS

Its, agents, assignees, associates, officers,
etc.509 Main Street, 2nd Floor, Suite 200,
Dallas, Texas 75202

And

DESOTO CITY HALL, TEXAS

Its, agents, assignees, associates, officers,
etc.211 E. Pleasant Run Rd.
Desoto, Texas 75115

Respondents.

§

DALLAS COUNTY, TEXAS

**PLAINTIFF'S ORIGINAL PETITION FOR VIOLATION OF 15 U.S.C. 1692 et seq.,
AND AFFIDAVIT FOR IMMEDIATE TEMPORARY RESTAINING ORDER AND
TEMPORARY INJUNCTION SUPPORTED BY AFFIANT UNCONTESTED
AFFIDAVIT**

TO SAID COURT:

COMES NOW, Plaintiff Tia Wagner, who files this Petition, in the interest of justice and fairness, and for the underlying violations of the Revised Statues, Texas Debt Collection Act, Fair Debt Collections Practices Act (15 U.S.C. 1692), and the Texas Constitution of 1974 and for

IMMEDIATE AFFIANT TO PAY

3 Cits
Cert

254th-R

JUDICIAL DISTRICT

a Declaratory Judgment as stated herein, and asks this Honorable Court to grant the Application for all reasons stated and incorporated by this document against Federal National Mortgage a/k/a Fannie Mae, ect., to prevent Defendants from conducting the Sale of Plaintiff homestead for eviction and from otherwise selling or taking possession of the property subject of this litigation which is incorporated by reference and is supported by affiant uncontested affidavit and fully set forth at length herein, during the pendency of this cause, and from otherwise disturbing or attempting to disturb Plaintiff's peaceable possession and enjoyment of her property, and in support shows the Court the following:

1. *Parties.*

a. Plaintiff/Affiant, Tia Wagner, a private citizen who own properties in the state of Texas at: 515 Anglebluff Drive Desoto Texas 75115, and, makes this Affidavit for Temporary Restraining Order and Injunction. The last four numbers of Plaintiff's social security number are xxxxxxxx.

c. Respondent, Dallas County, Texas is a Foreign Financial Institution who is operating in the STATE of TEXAS, and may be served with process through their representative LOCATED 509 Main Street, 2nd Floor, Suite 200, Dallas, Texas 75202
Phone: (214) 653-7099 • Fax: (214) 653-7176 for Service of said Respondent as described above can be effected by certified return receipt mail for delivery.

d. Respondent, Federal National Mortgage a/k/a Fannie Mae, (hereafter "Federal National Mortgage, is a Foreign Financial Institution who is operating in the STATE of TEXAS, and may be served with process through their representative LOCATED at P.O. Box

15000 Surveyor Blvd #100Addison, Texas 75001 for Service of said Respondent as described above can be effected by certified return receipt mail for delivery.

e. City of Desoto, Texas who is a Foreign Financial Institution who operates in the STATES OF TEXAS, and may be served with process through their representative Located at 211 E. Pleasant Run Rd. Desoto, Texas 75115

2. This court has jurisdiction over the parties because Respondent is operating in Texas in the county of Dallas.

JURISDICTION AND VENUE

3. The subject matter in controversy is within the jurisdictional limits of this Court.

4. This Court has personal jurisdiction because the property which is the subject of this litigation is located in the state of Texas and Defendants is doing business within this State.

5. Venue in this cause is proper in Dallas County, STATE OF TEXAS because property is located in Dallas County, Texas.

FACTS

6. Plaintiff is the record owner of the property located at: 515 ANGLEBLUFF DRIVE DESOTO, TEXAS 75115 more specifically described as: a legal disc., together with all the buildings and improvements thereon, situated in the County of Dallas Texas, and being designated on the official subdivision map, on file and of record in the office of the Clerk and Recorder for said subdivision; said lot having such measurements and dimensions as shown on said map.

7. Plaintiff has requested, in writing, that the Defendants produce original or certified true copies of Note, Mortgage, and all transfer documents showing all of the transfers and assignments of the aforementioned instruments. These requests were made in order to verify that Defendants are in fact the "Holder in Due Course" of the note as required by executory process

within Louisiana law. Defendants have yet to produce such documents. It is Plaintiff's belief that the Defendants do not have the authority to foreclose on the property and are in fact not the actual holders of the original note, and therefore not entitled to collect on a debt.

8. Plaintiff allegedly signed a Promissory Note in order to purchase the property located at. Further, Plaintiff has not yet had the opportunity to review any documentation to confirm their **authenticity** as stated within the law.

9. Plaintiff has attempted to verify by fax and phone if Defendants are in fact the **HOLDER IN DUE COURSE** and **HOLDER OF THE NOTE** as defined in Rev. Stat § 10:3-302 (original or certified true copy per executory foreclosure process) or representative of the **HOLDER IN DUE COURSE** and **HOLDER OF THE NOTE** (original or certified true copy per executory foreclosure process). Plaintiff have requested that Defendants pull the pending Sheriff's seizure and sale until the debt is validated and the true **HOLDER IN DUE COURSE** or **HOLDER OF THE NOTE**, with the authentic/original or certified true copy of aforementioned documents, is known. Defendant(s) have refused to do so and in fact intend to pursue this collection action by executing the executory process of the Sheriff's seizure.

10. Affiant has informed Respondent that note/mortgage was rescinded, pursuant to 15 U.S.C. 1635, which was mailed to original lender.

VIOLATION 1 – AUTHENTIC EVIDENCE SUBMITTED WITH PETITION

11. Defendant's, did not show evidence of any authentic evidence in which an executory foreclosure process could be initiated. Art. 2635 states in part that a party must prove his right to use executory process to enforce the mortgage, security agreement, or privilege, it is necessary only for the party to submit with his petition authentic evidence of:

(1) The note, bond, or other instrument evidencing the obligation secured by the mortgage, security agreement, or privilege.

(2) The authentic act of mortgage or privilege on immovable property importing a confession of judgment.

(3) The act of mortgage or privilege on movable property importing a confession of judgment whether by authentic act or by private signature duly acknowledged.

The Defendants has not proven to have any authenticated evidence as necessary and mandatory within Art. 2635.

VIOLATION 2 – UNIFORM DECEPTIVE TRADES PRACTICES ACT, REVISED

STATUTES 51:1409

12. R.S. 51:1409 states in part that any person suffering any ascertainable loss of money or movable property, corporeal or incorporeal, as a result of the use of employment by another person of an unfair or deceptive method, act, or practice declared unlawful by R.S. 51:1405, may bring an action individually but not in a representative capacity to recover actual damages. Defendant is attempting, through deceptive trade practices, to seize and sale Plaintiff's real property without having the secured rights as a Creditor. Defendant is not the original creditor and therefore would not be the holder of any original documents, as prescribed by law, nor have Defendants produced any certified true copies of the documents needed to execute the executory foreclosure process. (Exhibit 1)

VIOLATION 3 – FAIR DEBT COLLECTION PRACTICES ACT 15 U.S.C. 1692, et seq

13. Defendant, TIB, is a “Debt Collector” as defined in §1692a(6), the Plaintiff is a consumer as defined in §1692a(3), the term “Debt” is defined at §1692(5) and the term Creditor is defined at §1692(4).

VIOLATION 3A – 15. U.S.C. 1692(e)(4)

14. The FDCPA states at §1692(e)(4) that a Debt Collector may not make any false or deceptive representations, including any representations: (4) that nonpayment may result in arrest or seizure of any property, unless such action is lawful and the collector intends to do the same; Defendants, as a Debt Collector, has no valid claim or interest in the real property as does the original Creditor.

DECLARATORY JUDGMENT

15. The Plaintiff requests that the court declare than any attempt to foreclose pursuant to the Statues for executory foreclosure process, and FDCPA law is an action to collect a debt and therefore the Defendants must produce the one and only authentic Original Promissory Note (or certified true copy) signed by Plaintiff for inspection by Plaintiff and/or their document examiner prior to proceeding with any Sherriff seizure and sale of the real property.

PRAYER FOR RELIEF

WHEREFORE PREMISES CONSIDERED, PLAINTIFF RESPECTFULLY REQUESTS:

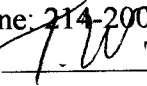
16. That this Petition be filed and that a day be appointed for a hearing on this matter;
17. That notice of the filing of this Petition and the hearing date be given to all parties;
18. That, after trial on the merits, the Court permanently enjoin Defendants, Defendants’ officers, agents, servants, employees, successors and assigns, constables, sheriffs, Justices of the Peace, and attorneys from directly or indirectly from taking possession of the

subject property or from otherwise disturbing or attempting to disturb Plaintiff's peaceable possession enjoyment of the property.

19. Economic Damages;
20. Punitive Damages;
21. A declaration that the Defendants must produce the one and only Original Promissory Note signed by the Plaintiff for inspection by the Plaintiff and or their document examiner prior to proceeding with any foreclosure proceedings;
22. A declaration that the court declare that any attempt to foreclose pursuant to the Texas Article 2634 et seq, R.S 51:409 et seq, and the FDCPA is an action to collect a debt;
23. Exemplary Damages;
24. Reasonable fees;
25. Costs of Court; and
26. All other relief to which Plaintiff is entitled;
27. Plaintiff prays for general relief.

Respectfully submitted

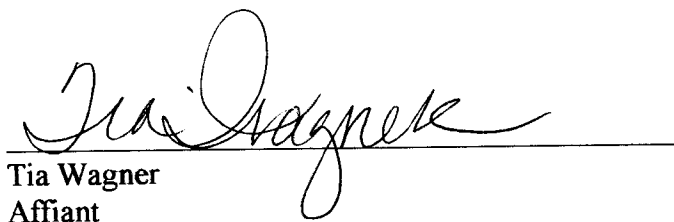


Tia Wagner
515 Anglebluff Drive
Desoto, Texas 75115
Phone: 214-200-6149
By: 

Affidavit

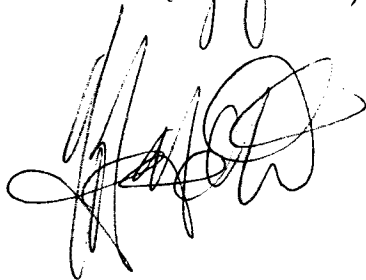
BEFORE ME, the undersigned authority, on this day personally appeared, Tia Wagner who affirmed by his own word that the following facts are true:

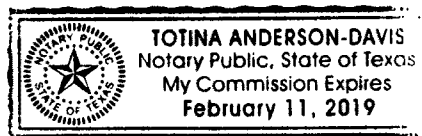
"I am Affiant in this cause. I have personal knowledge of the facts stated above, and they are true and correct." I request that the clerk immediately set hearing and issue citations upon the filing of Affiant Application.


Tia Wagner
Affiant

SIGNED under oath before me on

24th day of Feb, 2016





NO. DC16-0255

FILED

2016 FEB 26 PM 1:22

TIA WAGNER
515 ANGLEBLUFF DRIVE
DESOTO, TEXAS 75115

IN THE DISTRICT COURT

FELICIA PITRE
DISTRICT CLERK
DALLAS CO., TEXAS
DEPUTY

Affiant,

V.

162nd

JUDICIAL DISTRICT

FEDERAL NATIONAL MORTGAGE
a/k/a FANNIE MAC, is a Foreign
Financial Institution who is operating in
the STATE of STATE, and may be served
with process through their representative
Located at: Barrett Daffin Fappier
Its, agents, assignees, associates, officers,
etc.
15000 Surveyor Blvd #100
Addison, Texas 75001

DALLAS COUNTY, TEXAS

Its, agents, assignees, associates, officers,
etc.

**509 Main Street, 2nd Floor, Suite 200,
Dallas, Texas 75202**

And

DESOTO CITY HALL, TEXAS

Its, agents, assignees, associates, officers,
etc.

**211 E. Pleasant Run Rd.
Desoto, Texas 75115**

Respondents. §

DALLAS COUNTY, TEXAS

Affidavit for Inability for Payment of all Cost/Bonds

BEFORE ME, the undersigned authority on this day personally appeared, Affiant, who being by me duly sworn, deposes and says an oath as follows:

State OF Texas

*
* KNOW ALL MEN BY THESE PRESENTS
*
*

County of Dallas

BEFORE ME, the undersigned authority on this day personally appeared, Affiant, who being by me duly sworn, deposes and says an oath as follows:

That I am Tia Wagner, who live and owns property located within Texas a member state for the United States

That I am of lawful age and am competent to make this Affidavit.

That I have personal knowledge of the facts stated herein.

That this sworn Affidavit is made as a matter of record as my right in my own proper person under the Constitution of the United States of America.

That I know and understand that this affidavit for payment is in the interest of justice for fairness as to consumer rights under title 15 under U.S.C section 1692 et. Seq. and section 807 of the FDCPA number 3

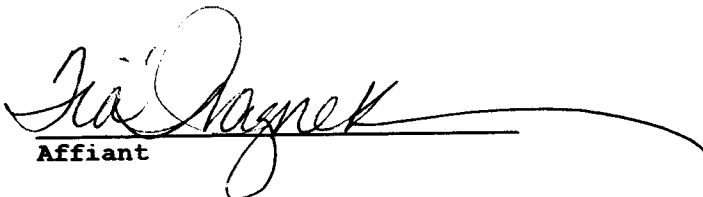
That I do not waive any of my rights at this time nor do I intend to waive any of my rights at any time under any jurisdiction under Bill of Rights and Writ of Rights.

That this Affidavit is tender for all cost of court and surety Bonds in the amount of any cost of the clerk and court for USD's and is for any filing fees and/or bonds or rent due filed in the office of the clerk of Dallas County, state of Texas

Affiant has reserved all its rights as an American citizen under hardship and under legal Disability which creates a greater Hardship.

Affiant also request that the disputing party or the accused party paid due to THIS Affidavit not being disputed with a counter-Affidavit under the UCC in commerce.

I declare under penalty of perjury the Laws of the United States of America in the interest of justice and fairness, that the foregoing is true, correct, complete, and not misleading and contains the truth, the whole truth, and nothing but the truth to my knowledge and belief.


Affiant

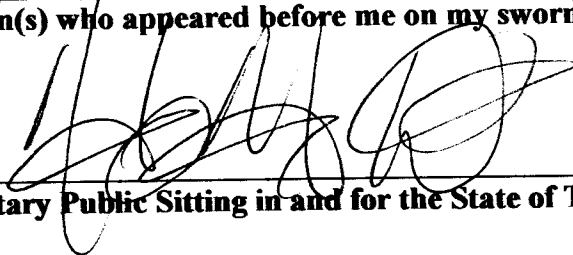
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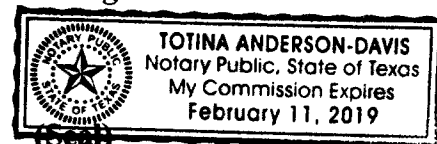
State of Texas

County of Dallas

Subscribed and sworn to before me on this 24th day of Feb, 2016, by Tia Wagner, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me on my sworn oath sitting in for State of Texas

Signature

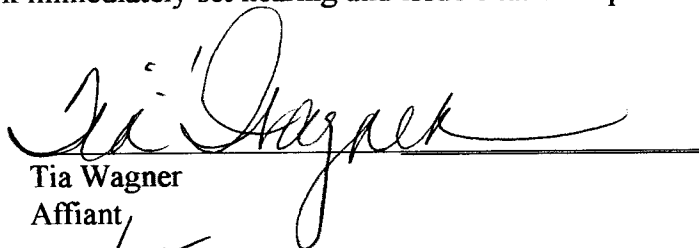

Notary Public Sitting in and for the State of Texas



Affidavit

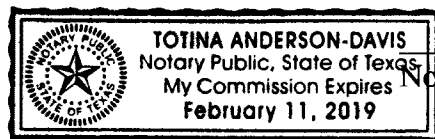
BEFORE ME, the undersigned authority, on this day personally appeared Tia Wagner, who affirmed by his own word that the following facts are true:

"I am Affiant in this cause. I have personal knowledge of the facts stated above, and they are true and correct." I request that the clerk immediately set hearing and issue citations upon the filing of Affiant Application.


Tia Wagner
Affiant

SIGNED under oath before me on

 24th of Feb 2016




Notary Public for the State of Texas

EXHIBIT B-2

NO. DC 16-02255

FILED

2016 FEB 26 PM 1:21

TIA WAGNER
515 ANGLEBLUFF DRIVE
DESOTO, TEXAS 75115

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IN THE DISTRICT COURT

FELICIA PITRE
DISTRICT CLERK
DALLAS CO., TEXAS

DEPUTY

Affiant,

V.

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162nd JUDICIAL DISTRICT

FEDERAL NATIONAL MORTGAGE
a/k/a FANNIE MAC, is a Foreign
Financial Institution who is operating in
the STATE of TEXAS, and may be
served with process through their
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Fappier
Its, agents, assignees, associates, officers,
etc.
15000 Surveyor Blvd #100
Addison, Texas 75001

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DALLAS COUNTY, TEXAS

Its, agents, assignees, associates, officers,
etc.

509 Main Street, 2nd Floor, Suite 200,
Dallas, Texas 75202

And

DESOTO CITY HALL, TEXAS

Its, agents, assignees, associates, officers,
etc.

211 E. Pleasant Run Rd.
Desoto, Texas 75115

Respondents.

§

DALLAS COUNTY, TEXAS

Affidavit for Tia Wagner supporting suit

State of Texas

*

* KNOW ALL MEN BY THESE PRESENTS

* NOTICE FOR EMERGENCY HEARING

County OF Dallas

* all rights reserved for show cause

BEFORE ME, the undersigned authority on this day personally appeared, Affiant, who being by me duly
sworn, deposes and says an oath as follows:

That I am Carol Matthews, who live and on all real property at: 515
Anglebluff Drive Desoto, Texas 75115

That I am of lawful age and am competent to make this Affidavit.

That I have personal knowledge of the facts stated herein.

That this sworn Affidavit is made as a matter of record as my right in my own proper person under the Constitution of the United States of America.
That I know and understand that I cannot be denied justice for lack of finances as a result of a hardship at this time.

That I do not waive any of my rights at this time nor do I intend to waive any of my rights at any time under any jurisdiction under Bill of Rights and Writ of Rights.

Affiant also request that the disputing party or the accused party paid due to THIS Affidavit not being disputed with a counter-Affidavit under the UCC TO SAID COURT:

COMES NOW, Plaintiff Tia Wagner, who files this Petition, in the interest of justice and fairness, and for the underlying violations of the Revised Statues, Texas Debt Collection Act, Fair Debt Collections Practices Act (15 U.S.C. 1692), and the Texas Constitution of 1974 and for a Declaratory Judgment as stated herein, and asks this Honorable Court to grant the Application for all reasons stated and incorporated by this document against Federal National Mortgage a/k/a Fannie Mae, ect., to prevent Defendants from conducting the Sale of Plaintiff homestead for eviction and from otherwise selling or taking possession of the property subject of this litigation which is incorporated by reference and is supported by affiant uncontested affidavit and fully set forth at length herein, during the pendency of this cause, and from otherwise disturbing or attempting to disturb Plaintiff's peaceable possession and enjoyment of her property, and in support shows the Court the following:

1. *Parties.*

a. Plaintiff/Affiant, Tia Wagner, a private citizen who own properties in the state of Texas at: 515 Anglebluff Drive Desoto Texas 75115, and, makes this Affidavit for

Temporary Restraining Order and Injunction. The last four numbers of Plaintiff's social security number are xxxxxxxx.

c. Respondent, Dallas County, Texas is a Foreign Financial Institution who is operating in the STATE of TEXAS, and may be served with process through their representative LOCATED 509 Main Street, 2nd Floor, Suite 200, Dallas, Texas 75202
Phone: (214) 653-7099 • Fax: (214) 653-7176 for Service of said Respondent as described above can be effected by certified return receipt mail for delivery.

d. Respondent, Federal National Mortgage a/k/a Fannie Mae, (hereafter "Federal National Mortgage, is a Foreign Financial Institution who is operating in the STATE of TEXAS, and may be served with process through their representative LOCATED at P.O. Box 15000 Surveyor Blvd #100Addison, Texas 75001 for Service of said Respondent as described above can be effected by certified return receipt mail for delivery.

2. This court has jurisdiction over the parties because Respondent is operating in Texas in the county of Dallas.

JURISDICTION AND VENUE

3. The subject matter in controversy is within the jurisdictional limits of this Court.

4. This Court has personal jurisdiction because the property which is the subject of this litigation is located in the state of Texas and Defendants is doing business within this State.

5. Venue in this cause is proper in Dallas County, STATE OF TEXAS because property is located in Dallas County, Texas.

FACTS

6. Plaintiff is the record owner of the property located at: 515 ANGLEBLUFF DRIVE DESOTO, TEXAS 75115 more specifically described as: a legal disc., together with all the buildings and improvements thereon, situated in the County of Dallas Texas, and being designated on the official subdivision map, on file and of record in the office of the Clerk and Recorder for said subdivision; said lot having such measurements and dimensions as shown on said map.

7. Plaintiff has requested, in writing, that the Defendants produce original or certified true copies of Note, Mortgage, and all transfer documents showing all of the transfers and assignments of the aforementioned instruments. These requests were made in order to verify that Defendants are in fact the "Holder in Due Course" of the note as required by executory process within Louisiana law. Defendants have yet to produce such documents. It is Plaintiff's belief that the Defendants do not have the authority to foreclose on the property and are in fact not the actual holders of the original note, and therefore not entitled to collect on a debt.

8. Plaintiff allegedly signed a Promissory Note in order to purchase the property located at. Further, Plaintiff has not yet had the opportunity to review any documentation to confirm their **authenticity** as stated within the law.

9. Plaintiff has attempted to verify by fax and phone if Defendants are in fact the **HOLDER IN DUE COURSE** and **HOLDER OF THE NOTE** as defined in Rev. Stat § 10:3-302 (original or certified true copy per executory foreclosure process) or representative of the **HOLDER IN DUE COURSE** and **HOLDER OF THE NOTE** (original or certified true copy per executory foreclosure process). Plaintiff have requested that Defendants pull the pending Sheriff's seizure and sale until the debt is validated and the true **HOLDER IN DUE COURSE** or **HOLDER OF THE NOTE**, with the authentic/original or certified true copy of aforementioned

documents, is known. Defendant(s) have refused to do so and in fact intend to pursue this collection action by executing the executory process of the Sheriff's seizure.

10. Affiant has informed Respondent that note/mortgage was rescinded, pursuant to 15 U.S.C. 1635, which was mailed to original lender.

VIOLATION 1 – AUTHENTIC EVIDENCE SUBMITTED WITH PETITION

11. Defendant's, did not show evidence of any authentic evidence in which an executory foreclosure process could be initiated. Art. 2635 states in part that a party must prove his right to use executory process to enforce the mortgage, security agreement, or privilege, it is necessary only for the party to submit with his petition authentic evidence of:

(1) The note, bond, or other instrument evidencing the obligation secured by the mortgage, security agreement, or privilege.

(2) The authentic act of mortgage or privilege on immovable property importing a confession of judgment.

(3) The act of mortgage or privilege on movable property importing a confession of judgment whether by authentic act or by private signature duly acknowledged.

The Defendants has not proven to have any authenticated evidence as necessary and mandatory within Art. 2635.

VIOLATION 2 – UNIFORM DECEPTIVE TRADES PRACTICES ACT, REVISED

STATUTES 51:1409

12. R.S. 51:1409 states in part that any person suffering any ascertainable loss of money or movable property, corporeal or incorporeal, as a result of the use of employment by another

person of an unfair or deceptive method, act, or practice declared unlawful by R.S. 51:1405, may bring an action individually but not in a representative capacity to recover actual damages.

Defendant is attempting, through deceptive trade practices, to seize and sale Plaintiff's real property without having the secured rights as a Creditor. Defendant is not the original creditor and therefore would not be the holder of any original documents, as prescribed by law, nor have Defendants produced any certified true copies of the documents needed to execute the executory foreclosure process. (Exhibit 1)

VIOLATION 3 – FAIR DEBT COLLECTION PRACTICES ACT 15 U.S.C. 1692, et seq

13. Defendant, TIB, is a "Debt Collector" as defined in §1692a(6), the Plaintiff is a consumer as defined in §1692a(3), the term "Debt" is defined at §1692(5) and the term Creditor is defined at §1692(4).

VIOLATION 3A – 15. U.S.C. 1692(e)(4)

14. The FDCPA states at §1692(e)(4) that a Debt Collector may not make any false or deceptive representations, including any representations: (4) that nonpayment may result in arrest or seizure of any property, unless such action is lawful and the collector intends to do the same; Defendants, as a Debt Collector, has no valid claim or interest in the real property as does the original Creditor.

DECLARATORY JUDGMENT

15. The Plaintiff requests that the court declare than any attempt to foreclose pursuant to the Statues for executory foreclosure process, and FDCPA law is an action to collect a debt and therefore the Defendants must produce the one and only authentic Original Promissory Note (or certified true copy) signed by Plaintiff for inspection by Plaintiff and/or their document examiner prior to proceeding with any Sherriff seizure and sale of the real property.

PRAYER FOR RELIEF

WHEREFORE PREMISES CONSIDERED, PLAINTIFF RESPECTFULLY REQUESTS:

16. That this Petition be filed and that a day be appointed for a hearing on this matter;
17. That notice of the filing of this Petition and the hearing date be given to all parties;
18. That, after trial on the merits, the Court permanently enjoin Defendants, Defendants' officers, agents, servants, employees, successors and assigns, constables, sheriffs, Justices of the Peace, and attorneys from directly or indirectly from taking possession of the subject property or from otherwise disturbing or attempting to disturb Plaintiff's peaceable possession enjoyment of the property.
19. Economic Damages;
20. Punitive Damages;
21. A declaration that the Defendants must produce the one and only Original Promissory Note signed by the Plaintiff for inspection by the Plaintiff and or their document examiner prior to proceeding with any foreclosure proceedings;
22. A declaration that the court declare that any attempt to foreclose pursuant to the Texas Article 2634 et seq, R.S 51:409 et seq, and the FDCPA is an action to collect a debt;
23. Exemplary Damages;
24. Reasonable fees;
25. Costs of Court; and
26. All other relief to which Plaintiff is entitled;
27. Plaintiff prays for general relief.

I declare under penalty of perjury the Laws of the United States of America in the interest of justice and fairness, that the foregoing is true, correct,

complete, and not misleading and contains the truth, the whole truth, and nothing but the truth to my knowledge and belief.

Tia Wagner
Affiant

JURAT

State of Texas

County of Dallas

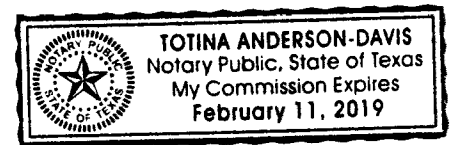
Subscribed and sworn to before me on this 24th day of Feb, 2016, by Tia Wagner, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me on my sworn oath sitting in for State of Texas.

Signature

[Signature]
Notary Public Sitting in and for the State of Texas

(Seal)

Affidavit



BEFORE ME, the undersigned authority, on this day personally appeared Tia Wagner., who affirmed by his own word that the following facts are true:

"I am Affiant in this cause. I have personal knowledge of the facts stated above, and they are true and correct." I request that the clerk immediately set hearing and issue citations upon the filing of Affiant Application.

Tia Wagner
Tia Wagner
Affiant

SIGNED under oath before me on

24th day of Feb 2016
[Signature]
(Seal)

Notary Public for the State of Texas

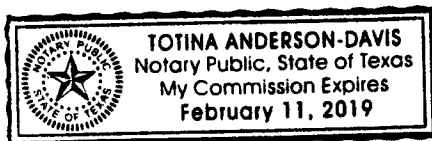


EXHIBIT B-3

CAUSE NUMBER (FOR CLERK USE ONLY): DC 16-02255

COURT (FOR CLERK USE ONLY):

STYLED

(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

FILED

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing.

2016 FEB 26 PM 1:21

1. Contact information for person completing case information sheet:		Names of parties in case:		Person or entity completing sheet is:	
Name: <u>Tia Wagner</u>	Email:	Plaintiff(s)/Petitioner(s): <u>FELICIA PITRE</u> <u>Tia Wagner</u>	Defendant(s)/Respondent(s): <u>DEPUTY DISTRICT CLERK</u> <u>DALLAS CO., TEXAS</u> <u>Dallas County, Texas, etc.</u> <u>City of Dallas</u>	<input type="checkbox"/> Attorney for Plaintiff/Petitioner <input type="checkbox"/> Pro Se Plaintiff/Petitioner <input type="checkbox"/> Title IV-D Agency <input checked="" type="checkbox"/> Other: <u>attest</u>	Additional Parties in Child Support Case:
Address: <u>515 Anglenbluff Dr</u>	Telephone: <u>(214) 200-6149</u>	Custodial Parent:			
City/State/Zip: <u>Dallas, TX 75115</u>	Fax:	Non-Custodial Parent:			
Signature: <u>Tia Wagner</u>	State Bar No:	Presumed Father:			
[Attach additional page as necessary to list all parties]					
2. Indicate case type, or identify the most important issue in the case (select only 1):					
Civil			Family Law		
Contract <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Consumer/DTPA <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Other Debt/Contract: Foreclosure <input type="checkbox"/> Home Equity—Expedited <input type="checkbox"/> Other Foreclosure <input type="checkbox"/> Franchise <input type="checkbox"/> Insurance <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Non-Competition <input type="checkbox"/> Partnership <input type="checkbox"/> Other Contract:	Injury or Damage <input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation Malpractice <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability: <input type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Premises Product Liability <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability List Product: <input type="checkbox"/> Other Injury or Damage:	Real Property <input type="checkbox"/> Eminent Domain/Condemnation <input checked="" type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property: Related to Criminal Matters <input type="checkbox"/> Expunction <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other:	Marriage Relationship <input type="checkbox"/> Annulment <input type="checkbox"/> Declare Marriage Void Divorce <input type="checkbox"/> With Children <input type="checkbox"/> No Children Other Family Law <input type="checkbox"/> Enforce Foreign Judgment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Name Change <input type="checkbox"/> Protective Order <input type="checkbox"/> Removal of Disabilities of Minority <input type="checkbox"/> Other:	Post-judgment Actions (non-Title IV-D) <input type="checkbox"/> Enforcement <input type="checkbox"/> Modification—Custody <input type="checkbox"/> Modification—Other Title IV-D <input type="checkbox"/> Enforcement/Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Reciprocity (UIFSA) <input type="checkbox"/> Support Order Parent-Child Relationship <input type="checkbox"/> Adoption/Adoption with Termination <input type="checkbox"/> Child Protection <input type="checkbox"/> Child Support <input type="checkbox"/> Custody or Visitation <input type="checkbox"/> Gestational Parenting <input type="checkbox"/> Grandparent Access <input type="checkbox"/> Parentage/Paternity <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Other Parent-Child:	
Employment <input type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation <input type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other Employment:	Other Civil <input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property <input type="checkbox"/> Lawyer Discipline <input type="checkbox"/> Perpetuate Testimony <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input type="checkbox"/> Other:				
Tax <input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Other Tax	Probate & Mental Health Probate/Wills/Intestate Administration <input type="checkbox"/> Dependent Administration <input type="checkbox"/> Independent Administration <input type="checkbox"/> Other Estate Proceedings <input type="checkbox"/> Guardianship—Adult <input type="checkbox"/> Guardianship—Minor <input type="checkbox"/> Mental Health <input type="checkbox"/> Other:				
3. Indicate procedure or remedy, if applicable (may select more than 1):					
<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input checked="" type="checkbox"/> Class Action		<input checked="" type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input checked="" type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment		<input checked="" type="checkbox"/> Prejudgment Remedy <input checked="" type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input checked="" type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> Turnover	
4. Indicate damages sought (do not select if it is a family law case):					
<input checked="" type="checkbox"/> Less than \$100,000, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees <input type="checkbox"/> Less than \$100,000 and non-monetary relief <input type="checkbox"/> Over \$100,000 but not more than \$200,000 <input type="checkbox"/> Over \$200,000 but not more than \$1,000,000 <input type="checkbox"/> Over \$1,000,000					

EXHIBIT B-4

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

To:
**FEDERAL NATIONAL MORTGAGE AKA FANNIE MAE
BY SERVING BARRETT DAFIN FAPIER, REPRESENTATIVE
15000 SURVEYOR BLVD #100
ADDISON TX 75001**

GREETINGS:
You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **162nd District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **TIA WAGNER**

Filed in said Court **26th** day of February, **2016** against

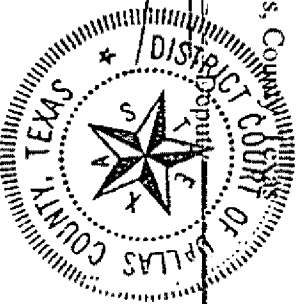
FEDERAL NATIONAL MORTGAGE ET AL

For Suit, said suit being numbered **DC-16-02255**, the nature of which demand is as follows:
Suit on **PROPERTY** etc. as shown on said petition, a copy of which accompanies this citation.
If this citation is not served, it shall be returned unexecuted.

WITNESS: **FELICIA PITRE**, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 2nd day of March, 2016.

ATTEST: **FELICIA PITRE**, Clerk of the District Courts of Dallas, County Texas.

By *Dianne Coffey*
DIANNE COFFEY



CERT MAIL

CITATION

DC-16-02255

**TIA WAGNER
vs.
FEDERAL NATIONAL
MORTGAGE,
ET AL**

**ISSUED THIS
2nd day of March, 2016**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: **DIANNE COFFEY**, Deputy

Attorney for Plaintiff—PRO SE

**TIA WAGNER
515 ANGLEBLUFF DR
DALLAS, TX 75215
214-200-6149**

AFFIDAVIT INABILITY TO PAY

OFFICER'S RETURN

Case No. : DC-16-02255

Court No. 162nd District Court

Style: TIA WAGNER

vs.

FEDERAL NATIONAL MORTGAGE, ET AL

Came to hand on the 2nd day of MARCH, 20 16, at 10:21 o'clock A. M. Executed at Address H.

within the County of 16, by delivering to the within named _____ at _____ o'clock _____ M. on the 7th day of MARCH.

Federal National Mortgage AKA Fannie Mae By Serving Barrett Daffin, Faprien, Representative Signed By Isaac Logan

each, BY SERVING U S CERTIFIED MAIL, RETURN RECEIPT REQUESTED, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation

\$ 76.00

For mileage

\$ _____

For Notary

\$ _____

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20 _____.

to certify which witness my hand and seal of office.

Signed By Isaac Logan

FELICIA PITRE

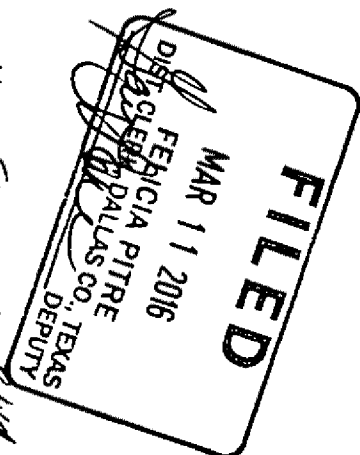
DISTRICT CLERK

Dep 600 COMMERCE STREET

DALLAS, TEXAS 75202-4606

Notary Public _____ County _____

9214-8981-0661-5400-0050-9140-64



1500 Surveys Blvd #100

FELICIA PITRE
DISTRICT CLERK
GEORGE L ALLEN, SR. COURTS BLDG
600 COMMERCE ST STE 103
DALLAS, TX 75202-4689



Return Receipt (Electronic)

9214 8901 0661 5400 0080 9140 64

DC1602255/DC

BARRETT DAFFIN FAPPIER, REPRESENTATIVE
FEDERAL NATIONAL MORTGAGE AKA FANNIE MAE
#100
15000 SURVEYOR BLVD
ADDISON, TX 75001

CUT / FOLD HERE

6"x9" ENVELOPE
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Date: March 9, 2016

MAIL MAIL:

The following is in response to your March 9, 2016 request for delivery information on your Certified Mail™/RRE item number 92148901066154000080914064. The delivery record shows that this item was delivered on March 7, 2016 at 8:57 am in ADDISON, TX 75001. The scanned image of the recipient information is provided below.

Signature of Recipient :

Delivery section	
Signature	<i>Isaiah Logan</i>
Name	Isaiah Logan

Address of Recipient :

Address	15000 SURVEYOR BLVD.
---------	----------------------

Thank you for selecting the Postal Service for your mailing needs.

If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,
United States Postal Service

The customer reference information shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

DC1602255/DC
BARRETT DAFFIN FAPPIER, REPRESENTATIVE
FEDERAL NATIONAL MORTGAGE AKA FANNIE MAE
#100
15000 SURVEYOR BLVD
ADDISON, TX 75001-0000

EXHIBIT B-5

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

To:

**DALLAS COUNTY TEXAS
BY SERVING THEIR REPRESENTATIVE
509 MAIN STREET 2ND FL SUITE 200
DALLAS TX 75202**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **162nd District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **TIA WAGNER**

Filed in said Court **26th day of February, 2016** against

FEDERAL NATIONAL MORTGAGE ET AL

For Suit, said suit being numbered **DC-16-02255**, the nature of which demand is as follows:
Suit on **PROPERTY** etc. as shown on said petition, a copy of which accompanies this citation.
If this citation is not served, it shall be returned unexecuted.

WITNESS: **FELICIA PITRE**, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 2nd day of March, 2016.

ATTEST: **FELICIA PITRE**, Clerk of the District Courts of Dallas, County, Texas

By  Deputy
DIANNE COFFEY



CERT MAIL

CITATION

DC-16-02255

TIA WAGNER

vs.

**FEDERAL NATIONAL
MORTGAGE,
ET AL**

ISSUED THIS

2nd day of March, 2016

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: **DIANNE COFFEY**, Deputy

Attorney for Plaintiff—PRO SE

**TIA WAGNER
515 ANGLEBLUFF DR
DESOFO TX 75115
214-200-6149**

AFFIDAVIT INABILITY TO PAY

OFFICER'S RETURN

Case No. : DC-16-02255

Court No. 162nd District Court

Style: TIA WAGNER

vs.

FEDERAL NATIONAL MORTGAGE, ET AL

Came to hand on the 2nd day of March, 20 16, at 10:00 o'clock A M. Executed at

within the County of _____ at _____ o'clock _____ M. on the _____ day of _____

20 _____ by delivering to the within named

Unexecuted

each, BY SERVING U S CERTIFIED MAIL, RETURN RECEIPT REQUESTED, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation

\$ 76.00

Unexecuted

For mileage

\$ _____

of _____ County

For Notary

\$ _____

By Alvarado

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20 _____

to certify which witness my hand and seal of office.

Notary Public _____ County _____

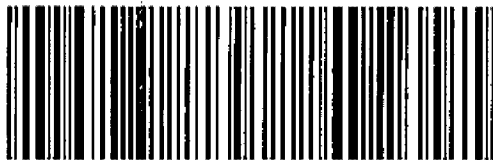
FELICIA PITRE
Deputy District Clerk
600 COMMERCE STREET
DALLAS, TEXAS 75202-4606

[Signature]
DEPUTY
DISTRICT CLERK
DALLAS CO., TEXAS
16 MAR 10 AM 10:02

FILED

9214-8981-0661-5400-0080-9148-73

FELICIA PITRE
DISTRICT CLERK
GEORGE L ALLEN, SR. COURTS BLDG.
600 COMMERCE ST STE 103
DALLAS, TX 75202-4689



Return Receipt (Electronic)

9214 8901 0661 5400 0080 9148 73

DC1602255/DC

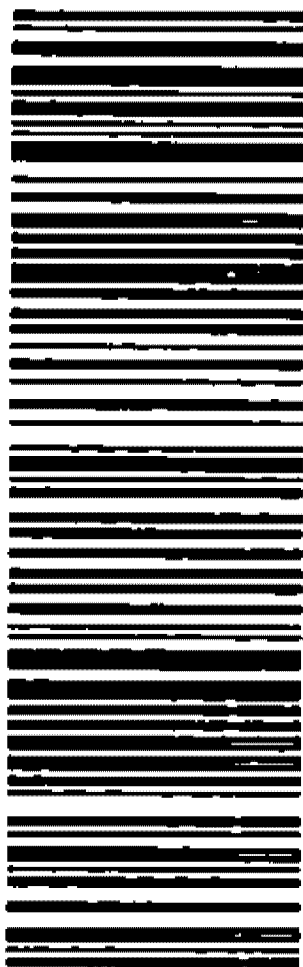
SERVING THEIR REPRESENTATIVE
DALLAS COUNTY TEXAS
SUITE 200
509 MAIN STREET 2ND FL
DALLAS, TX 75020

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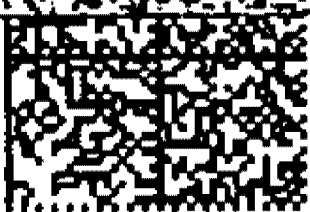
NO
MARKEN
omc)



9214 8901 0661 5400 0080 9148 73

Return to: Mr. & Mrs. J. Edgar Hoover
U.S. Department of Justice
Washington, D.C. 20535

CERTIFIED MAIL

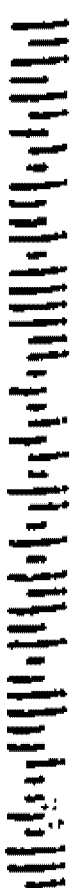


UNITED STATES
02 1R
000201
MAILED

SENATIVE

EL

7520233551 0004



District
W

EXHIBIT B-6

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

To:
**DESOTO CITY HALL TEXAS
BY SERVING THEIR REPRESENTATIVE
211 E PLEASANT RUN RD
DESOTO TX 75115**

GREETINGS:
You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **162nd District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **TIA WAGNER**

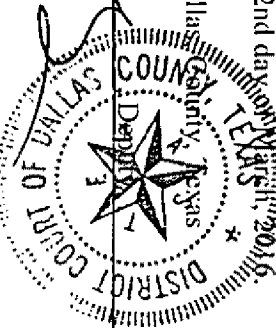
Filed in said Court **26th day of February, 2016** against

FEDERAL NATIONAL MORTGAGE ET AL

For Suit, said suit being numbered **DC-16-02255**, the nature of which demand is as follows:
Suit on **PROPERTY** etc. as shown on said petition, a copy of which accompanies this citation.
If this citation is not served, it shall be returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 2nd day of **March, 2016**.

ATTEST: **FELICIA PITRE**, Clerk of the District Courts of Dallas, County Texas.
By *[Signature]*
DIANNE COFFEY



CERT MAIL

CITATION

DC-16-02255

**TIA WAGNER
vs.
FEDERAL NATIONAL
MORTGAGE,
ET AL**

**ISSUED THIS
2nd day of March, 2016**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: **DIANNE COFFEY**, Deputy

**Attorney for Plaintiff—PRO SE
TIA WAGNER
515 ANGLEBLUFF DR
DESOTO TX 75115
214-200-6149**

AFFIDAVIT INABILITY TO PAY

OFFICER'S RETURN

Case No. : DC-16-02255

Court No. 162nd District Court

Style: TIA WAGNER

vs.

FEDERAL NATIONAL MORTGAGE, ET AL



Came to hand on the 2nd day of March, 2016, at 10:15 o'clock PM, on the 7th day of March, 2016,
within the County of _____, by delivering to the within named _____
City of DeSoto, Texas By serving its representative C. R. Richardson

each, BY SERVING U S CERTIFIED MAIL, RETURN RECEIPT REQUESTED, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation \$ 76.00
For mileage \$ _____
For Notary \$ _____

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20____.

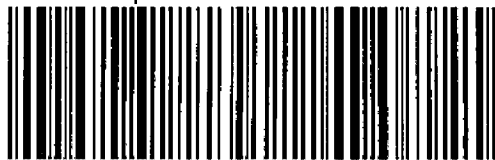
FELICIA PITRE
DISTRICT CLERK
600 COMMERCE STREET
DALLAS, TEXAS 75202-4606

FELICIA PITRE
DISTRICT CLERK
600 COMMERCE STREET
DALLAS, TEXAS 75202-4606

Notary Public _____ County _____

9214-8901-8661-5400-0080-9162-35

FELICIA PITRE
DISTRICT CLERK
GEORGE L ALLEN, SR. COURTS BLDG.
600 COMMERCE ST STE 103
DALLAS, TX 75202-4689



Return Receipt (Electronic)

9214 8901 0661 5400 0080 9162 35

DC16-02255/DC

SERVING THEIR REPRESENTATIVE
CITY OF DESOTO TEXAS
211 E PLEASANT RUN RD
DESOTO, TX 75115

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6"x9" ENVELOPE
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CUT / FOLD HERE



Date: March 9, 2016

MAIL MAIL:

The following is in response to your March 9, 2016 request for delivery information on your Certified Mail™/RRE item number 92148901066154000080916235. The delivery record shows that this item was delivered on March 7, 2016 at 10:34 am in DESOTO, TX 75115. The scanned image of the recipient information is provided below.

Signature of Recipient :

Delivery Section	
Signature	<i>[Handwritten Signature]</i>
Printed Name	<i>Maribela Richardson</i>

Address of Recipient :

Delivery Address	<i>211 E Pleasant Run Rd</i>
------------------	------------------------------

Thank you for selecting the Postal Service for your mailing needs.

If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,
United States Postal Service

The customer reference information shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

DC16-02255/DC
SERVING THEIR REPRESENTATIVE
CITY OF DESOTO TEXAS
211 E PLEASANT RUN RD
DESOTO, TX 75115-0000

EXHIBIT B-7

Cause No. 16-02266

16-02255

TIA WAGNER	§	IN THE DISTRICT COURT
515 ANGLEBLUFF DRIVE	§	
DESOTO, TEXAS 75115	§	
Affiant,	§	
V.	§	162 nd JUDICIAL DISTRICT
FEDERAL NATIONAL MORTGAGE	§	
a/k/a FANNIE MAC, is a Foreign	§	
Financial Institution who is operating in	§	
the STATE of STATE, and may be	§	
served with process through their	§	
representative Located at: Barrett Daffin	§	
Fappier	§	
Its, agents, assignees, associates, officers,	§	
etc.	§	
15000 Surveyor Blvd #100	§	
Addison, Texas 75001	§	
DALLAS COUNTY, TEXAS		
Its, agents, assignees, associates, officers,		
etc.		
509 Main Street, 2nd Floor, Suite 200,		
Dallas, Texas 75202		
And		
DESOTO CITY HALL, TEXAS		
Its, agents, assignees, associates, officers,		
etc.		
211 E. Pleasant Run Rd.		
Desoto, Texas 75115		
Respondents.	§	DALLAS COUNTY, TEXAS

FILED
 16 MAR 15 PM 2:15
 GARY FITZSIMMONS
 DISTRICT CLERK
 DALLAS CO. TEXAS
 DEPUTY

NOTICE OF EMERGENCY HEARING

To all interested parties that this NOTICE that there will be a hearing before the above said Court on Declaratory Judgment,

on {date} 03/17/2016, at {time} 10.00 4 m., in Room 162nd of the
George Allen Courthouse, on the following issues:

**Notice of claims for Violation of title 15 U.S.C. 1692 et. seq. supported by
affiant uncontested affidavit**

**** This part is to be filled out by the clerk or to be filled in with information you obtained from the documents filed in the office of the clerks' records:

Signed, Clerk of the Court

I request and demand that the Dallas County Clerk immediate set hearing and notify all interested parties immediately after setting of hearing supported by this document supporting by the attached affiant affidavit that been executed and wittiness by an independent notary public.



Tia Wagner
515 Anglebluff Drive
Desoto, Texas 75115
214-200-6149

EXHIBIT C

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

TIA WAGNER

Plaintiff,

v.

**FEDERAL NATIONAL MORTGAGE
a/k/a FANNIE MAC, DALLAS COUNTY,
TEXAS, and DESOTO CITY HALL,
TEXAS,**

Defendants.

§
§
§
§
§
§
§
§
§
§
§

Civil Action No.

CONSENT TO REMOVAL BY CITY OF DESOTO, TEXAS

Defendant City of Desoto, Texas expresses its consent to the removal of the above-referenced cause from the 162nd Judicial District Court, Dallas County, Texas, Cause No. DC-16-02255, to the United States District Court for the Northern District of Texas, Dallas Division.

Dated: March 22, 2016.

Respectfully submitted,

**NICHOLS, JACKSON, DILLARD,
HAGER & SMITH, L.L.P.**

By: 

PETER G. SMITH

Bar No. 186664300

psmith@njdhs.com - email

BRADEN W. METCALF

Bar No. 24055969

bmetcalf@njdhs.com – email

1800 Ross Tower

500 North Akard Street

Dallas, Texas 75201

214.965.9900 – telephone

214.965.0010 – facsimile

**ATTORNEYS FOR THE CITY OF
DESOTO, TEXAS**